## Fiscal Estimate - 2005 Session

	Original		Updated		Corrected		Supple	emental	
LRB	Number	05-4420/1		Intro	duction Num	nber A	B-109	7	
<b>Descri</b> Repea		ving offenders	and providing a pe	nalty					
Fiscal	Effect								
	No State Fiscondeterminate Increase E Appropria Decrease Appropria Create Ne	e Existing tions Existing	Increase E Revenues Decrease Revenues	Existing	to ab	ease Costs psorb within Yes rease Cost	n agency		
	Indeterminate  1. Increase Permiss  2. Decrease	e Costs sive⊠Mandato se Costs	3.  Increase Fory Permissive 4. Decrease ory Permissive	e∏Man Revenue	Gove □T Idatory ☑C □S	s of Local rnment Un owns [ counties [ chool [ districts	its Affec Village Others WTCS Distric	Cities	
Fund S	Sources Affe PR		PRS SEG	☐ SE	Affected C	h. 20 App	ropriatio	ons	
Agenc	y/Prepared l	Ву	Auth	orized S	Signature			Date	
SPD/ Mike Tobin (608) 266-8259 Krista					a Ginger (608) 264-8572				

## Fiscal Estimate Narratives SPD 3/10/2006

LRB Number <b>05-4420/1</b>	Introduction Number	AB-1097	Estimate Type	Original						
<b>Description</b> Repeat drunken driving offenders and providing a penalty										

## **Assumptions Used in Arriving at Fiscal Estimate**

The State Public Defender (SPD) provides legal representation in criminal cases and other specified proceedings in which the loss of personal liberty or parental rights may occur. For adult clients, the SPD must complete a financial eligibility evaluation before appointing an attorney. SPD services are constitutionally required because in the case types handled by SPD, a defendant without the financial means to hire an attorney has the right to have an attorney appointed. Therefore, any bill that would increase the number of cases handled by SPD would increase SPD costs.

Although this bill does not create an entirely new criminal offense for which SPD will be required to appoint attorneys, it increases penalties for certain repeat offenses of operating under the influence of alcohol and/or controlled substances. Thus, SPD is likely to see increased costs from increased attorney and client service specialist time related to the bill's increased penalty provisions. The higher penalties may result in more trials.

Counties are likely to incur additional costs for incarceration of defendants held in jail pending court hearings and serving sentences.

Long-Range Fiscal Implications